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SENATE BILL 2979 By
Elsea

HOUSE BILL 2805
By McKee

AN ACT relative to procedures for voting by non-resident property owners, the term of council members selected to fill vacancy before end of term, enactment of ordinances, maximum expenditures by city manager, expenditures for public works improvements, and to amend Chapter 455 of the Private Acts of 1953, as amended by Chapter 260 of the Private Acts of 1976, Chapter 56 of the Private Acts of 1987, Chapter 213 of the Private Acts of 1990, Chapter 215 of the Private Acts of 1992, and all other acts amendatory thereto, pertaining to the City of Athens.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 3 of Article IV of Chapter 455 of the Private Acts of 1953, as amended by Chapter 215 of the Private Acts of 1992, and all other acts amendatory thereto, is amended by adding at the end of Section 3 the language "The Council may authorize the ballots for these non-resident property owners to be cast by mail only, pursuant to procedures approved by the State Coordinator of Elections."

SECTION 2. Section 10 of Article V of Chapter 455 of the Private Acts of 1953, as amended, is amended by deleting the language "first Monday in July" and inserting instead the language "third Tuesday in November".

SECTION 3. Section 2 of Article VI of Chapter 455 of the Private Acts of 1953, as amended by Chapter 56 of the Private Acts of 1987, Chapter 213 of the Private Acts of 1990, and all other acts amendatory thereto, is amended by deleting Section 2 in its entirety and inserting instead the following language:

Section 2. *Be it further enacted*, That every ordinance enacted by the Council shall be presented to the Council and passed by a majority of the Council members present on two (2) separate days, the second presentation to be not less than fourteen (14) days following the first presentation unless a majority of the entire Council shall by recorded vote waive this time requirement. Upon each presentation the caption of the ordinance shall be read or its substance stated, and upon request of any member of the Council, or upon the request of any resident or taxpayer of the municipality an ordinance shall be read in full before final passage. Except in the ordinance adopting the budget, no material or substantial amendment may be made on second or final passage unless such amendment is passed in the same manner as an amendment to an existing ordinance. Every ordinance shall be effective upon final passage unless by its terms the effective date is deferred.

An emergency ordinance may become effective upon the day of its final passage, provided that it shall contain the statement that an emergency exists and shall specify with distinctness the facts and reasons constituting such an emergency.

No ordinance making a grant, renewal, or extension of a franchise or other special privilege shall ever be passed as an emergency ordinance. No ordinance shall be amended except by a new ordinance.

SECTION 4. Subsection (i) of Section 2 of Article IX of Chapter 455 of the Private Acts of 1953, as amended by Chapter 260 of the Private Acts of 1976, Chapter 213 of the Private Acts of 1990, Chapter 215 of the Private Acts of 1992, and all other acts amendatory thereto, is amended by deleting the language "four thousand dollars (\$4,000.00)" and inserting instead the language "ten thousand dollars (\$10,000.00)".

SECTION 5. Section 1 of Article XXIII of Chapter 455 of the Private Acts of 1953, as amended by Chapter 213 of the Private Acts of 1990, Chapter 215 of the Private Acts of 1992, and all other acts amendatory thereto, is amended by deleting the language "four thousand dollars (\$4,000.00)" and inserting instead the language "ten thousand dollars (\$10,000.00)".

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Athens within sixty (60) days of its signing by the governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Athens and certified to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.